

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>12/3/2021</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ERIC S. COTTO,

Plaintiff,

-against-

FEDERAL NATIONAL MORTGAGE ASSOCIATION,

Defendant.

1:20-cv-6487-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

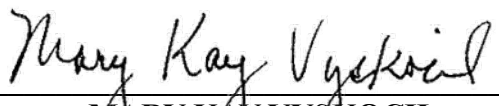
The Court received a letter from Plaintiff on December 2, 2021, that the Court filed on ECF. [ECF No. 28]. Under section 2.B. of the Court's individual rules, "[u]nless there is a request to file a letter under seal or a letter contains sensitive or confidential information, letters [to the Court] should be filed electronically on ECF, with copies simultaneously delivered to all counsel." Plaintiff is admonished that all further communications with the Court should comply with the Court's individual rules.

In his letter, Plaintiff claims that he is unaware of the Court's order dated November 8, 2021. The Court has reviewed the docket and notes that the Court's order dated November 8, 2021 is filed on ECF No. 26. Under section 2.A. of the Court's individual rules, "counsel are required to register as ECF filers and to enter a notice of appearance in the case promptly." Moreover, "[c]ounsel are responsible for updating their contact information on ECF as needed, and counsel remain responsible for checking the docket sheet regularly, regardless of whether they receive an ECF notification of case activity." The Court notes that counsel for Plaintiff filed an appearance in this case on September 9, 2020 [ECF No. 5] and has filed several motions, briefs, and other notices on the docket in this case, [*see, e.g.*, ECF Nos. 8, 19, 23].

Plaintiff's letter states that "[i]t appears from counsel's correspondence of November 16, 2021, that Mr. Brown[, counsel for Defendant] made a motion and then decided it." [ECF No. 28]. The Court notes that Defendant's Motion to Dismiss at ECF No. 27 has not yet been decided and this case remains open. Per the Court's Order dated November 8, 2021, Plaintiff's Opposition to Defendant's Motion to Dismiss is due on or before January 4, 2022. [ECF No. 26].

SO ORDERED.

Date: December 3, 2021
New York, NY



MARY KAY VYSKOCIL
United States District Judge